

EXHIBIT A



SUPREME COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK

Victor Delgado

against

Plaintiff(s)

1-A. Korenegay Senior House HDFC
c/o Prestige Management Inc.
2-Realty Advisory Board on Labor
Relations, Inc.
3-Local 32BJ - Service Employees
International Union

Defendant(s)

Index No.

Date purchased

07110426
7/30/07

Plaintiff(s) designate(s)

New York

County as the place of trial.

Plaintiff's Residence
The basis of the venue is

Summons
with Notice

Plaintiff(s) reside(s) at
2101 Lexington Ave.

County of New York

To the above named Defendant(s)

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated, July 10, 2007

Defendant's address: 3485 East Tremont Ave.
Bronx, NY 10465

7 Penn Plaza
New York, NY 101 Avenue of Americas
Suite 301 New York, NY

Notice: The nature of this action is

Action to vacate or modify the arbitration decision & award.

Marino & Veneziano

Attorney(s) for Plaintiff

Victor Delgado

Office and Post Office Address

163 West 71 Street

New York, NY 10023

(212)873-7297

The relief sought is

To vacate or modify the arbitration decision & award.

Upon your failure to appear, judgment will be taken against you by default for the sum of \$
with interest from 19 and the costs of this action.

NEW YORK
COUNTY CLERK'S OFFICE

JUL 30 2007

NOT COMPARED
WITH COPY FILE

AFFIDAVIT OF SERVICE

STATE OF NEW YORK, COUNTY OF

party herein, is over 18 years of age and resides at

That on

at

M., at

deponent served the within summons,

SS: The undersigned, being duly sworn, deposes and says; deponent is not a

defendant

INDIVIDUAL

1. ☐

by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.

CORPORATION

2. ☐

a corporation, by delivering thereat a true copy of each to personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be thereof.

SUITABLE AGE PERSON

3. ☐

by delivering thereat a true copy of each to a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.

AFFIXING TO DOOR, ETC.

4. ☐

by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

MAILING TO
RESIDENCE
USE WITH 3 OR 45A. ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

MAILING TO
BUSINESS
USE WITH 3 OR 45B. ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class postpaid envelope properly addressed to defendant at defendant's actual place of business, at

in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

DESCRIPTION
USE WITH
1, 2, OR 3☐

<input type="checkbox"/> Male	<input type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input type="checkbox"/> 36-50 Yrs.	<input type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

Sworn to before me on

Print name beneath signature.

LICENSE NO.

Index No.

Victor Delgado

Plaintiff(s)

against

1-A. Korenagay Senior House HDPC
c/o Prestige Management Inc.
2-Realty Advisory Board on Labor
Relations, Inc.
3-Local 32BJ - Service Employees
International Defendant(s)

Union

Summons with Notice

ACTION NOT BASED UPON A
CONSUMER CREDIT TRANSACTION

Marino & Veneziano

Attorney(s) for Plaintiff(s)

Victor Delgado

Office, Post Office Address and Tel. No.

163 West 71 Street
New York, NY 10023
(212) 873-7297

NEW YORK
COUNTY CLERK'S OFFICE

JUL 30 2007

NOT COMPARED
WITH COPY FILE

VICTOR DELGADO

Plaintiff

COMPLAINT

-against-

INDEX #

07 110426

- 1) A. Korenegay Senior House HDFO
c/o Prestige Management Inc.
- 2) Realty Advisory Board on Labor
Relations, Inc.
- 3) Local 32BJ - Service Employees
International Union

Plaintiff by his attorneys Marino & Veneziano, Esqs. 163 West 71st Street, New York, NY 10023 allege as follows:

1. That Victor Delgado is a resident of New York City.
2. That the defendants are all residences and or have their place of business in the County of New York, State of New York.
3. On or about May 4, 2007 an opinion and award was rendered by the arbitrator on behalf of the employer and against Victor Delgado, employee. A copy of the opinion and award is attached.
4. We are submitting this affirmation in support of our action to vacate or modify the arbitrators opinion and award.
5. I am the attorney for Victor Delgado was present at the arbitrators office on the date of the hearing. I advised all parties that I was the attorney for Victor Delgado and I was substituting the former attorney.

Pursuant to the union rules, I was entitled to an automatic adjournment of the arbitration hearing and I requested such an adjournment. My request for an adjournment was the 1st request for an adjournment of the arbitration hearing. My request was denied. I spoke to the attorney for the union and I requested that the arbitration be adjourned and that our firm be allowed to represent Victor Delgado individually or as co-counsel with the union's attorney. My request was denied.

NEW YORK
COUNTY CLERK'S OFFICE

JUL 30 2007

NOT COMPARED
WITH COPY FILE

I subsequently requested that the arbitration hearing be stayed so that Victor Delgado can present additional evidence which may affect the outcome of this case and/or that the pending matter be stayed until there is a decision by the Human Rights Commission on a similar matter pending before the Human Rights Commission.


The evidence that we were prevented from presenting to the arbitration was documentation that Victor Delgado was an excellent employee and that his firing was retaliation for the correct actions of Victor Delgado.

6. The arbitrators decision and award resulted in Victor Delgado in the termination of Victor Delgado's employment and that he was entitled to severance pay. The amount of severance pay was not determined.

Wherefore, it is respectfully requested that the arbitrators decision and award be vacated or modified to the extent that additional time be granted to Victor Delgado vacate the premises and that a substantial amount be granted to Victor Delgado for severance pay plus attorney fees and moving expenses.

Dated: New York, New York
July 25, 2007

Respectfully,

A handwritten signature in cursive script, appearing to read "Amelio P. Marino".

Amelio P. Marino

Marino 7 Veneziano
163 West 71st Street
New York, NY 10023
(212) 873-7297

STATE OF NEW YORK, COUNTY OF

SS.:

I, the undersigned, an attorney admitted to practice in the courts of New York State,

☐ Certification By Attorney certify that the within
has been compared by me with the original and found to be a true and complete copy.

☐ Attorney's Affirmation state that I am
the attorney(s) of record for
action; I have read the foregoing
the same is true to my own knowledge, except as to the matters therein alleged to be on information and belief, and as to those matters I believe it to be true. The reason this verification is made by me and not by

Check Applicable Box

in the within

and know the contents thereof;

The grounds of my belief as to all matters not stated upon my own knowledge are as follows:

I affirm that the foregoing statements are true, under the penalties of perjury.

Dated:

STATE OF NEW YORK, COUNTY OF

I, the undersigned, being duly sworn, depose and say: I am

SS.:

The name signed must be printed beneath

☒ Individual Verification in the action; I have read the foregoing

and know the contents thereof; the same is true to my own knowledge, except
as to the matters therein stated to be alleged on information and belief, and as to those matters I believe it to be true.

Check Applicable Box

☐ Corporate Verification
the of
a

corporation and a party in the within action; I have read the foregoing

and know the contents thereof; and the same is true to my own knowledge,

except as to the matters therein stated to be alleged upon information and belief, and as to those matters I believe it to be true. This
verification is made by me because the above party is a corporation and I am an officer thereof.

The grounds of my belief as to all matters not stated upon my own knowledge are as follows:

Sworn to before me on

AMELIO P. MARINO
Notary Public, State of New York
No. 02MA7716880
Qualified in New York County
Certificate Filed in New York County
Commission Expires June 30, 2010

The name signed must be printed beneath

STATE OF NEW YORK, COUNTY OF

SS.:

(If more than one box is checked—indicate after names type of service used.)

I, the undersigned, being sworn, say: I am not a party to the action, am over 18 years of age and reside at

On

I served the within

☐ Service By Mail by mailing a copy to each of the following persons at the last known address set forth after each name below.

☐ Personal Service on Individual by delivering a true copy of each personally to each person named below at the address indicated. I knew each person served to be the person mentioned and described in said papers as a party therein.

☐ Service by Electronic Means by transmitting a copy to the following persons by ☐ FAX at the telephone number set forth after each name below ☐ E-MAIL at the E-Mail address set forth after each name below, which was designated by the attorney for such purpose, and by mailing a copy to the address set forth after each name.

☐ Overnight Delivery Service by dispatching a copy by overnight delivery to each of the following persons at the last known address set forth after each name below.

Check Applicable Box